

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

MICHAEL KAYE,

Plaintiff,

v.

BOARD OF TRUSTEES OF THE SAN  
DIEGO COUNTY PUBLIC LAW  
LIBRARY,

Defendants.

) Case No. 07CV921 WQH (WMc)

) **ORDER FOLLOWING EARLY**  
) **NEUTRAL EVALUATION**  
) **CONFERENCE, SETTING RULE 26**  
) **COMPLIANCE AND NOTICE OF**  
) **CASE MANAGEMENT CONFERENCE**

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On June 29, 2007, the Court convened an Early Neutral Evaluation Conference in the above entitled action. Appearing for Plaintiff was Michael Kaye. Appearing for Defendant were Margaret Bell, Esq., Gerald Jessup and Robert Riger.

Settlement could not be reached in the case at this time.

The Court discussed compliance with Fed. R. Civ. P. 26 and based thereon, issues the following orders:

1. The Rule 26(f) conference shall be completed before **July 27, 2007**;
2. Plaintiff shall file any motion for remand no later than **August 3, 2007**.
3. A joint discovery plan shall be lodged with Magistrate Judge McCurine, Jr. on or before **August 10, 2007**. Plaintiff shall submit the discovery plan directly to chamber's email address at [efile\\_mccurine@casd.uscourts.gov](mailto:efile_mccurine@casd.uscourts.gov). Regarding each

witness, the discovery plan will include the name, most current address, most current phone number, and a brief description of the subject matter of his/her testimony. The discovery plan will also include the anticipated dates for the completion of both non-expert discovery and expert discovery; and,


4. The date of initial disclosure pursuant to Rule 26(a)(1)(A-D) shall occur before *August 15, 2007*;

5. Counsel and parties with full settlement authority are ordered to appear *on August 21, 2007 at 2:00 p.m.* in the chambers of United States Magistrate Judge William McCurine, Jr., 940 Front Street, Courtroom C, San Diego, California, 92101, for a Case Management Conference pursuant to Federal Rule of Civil Procedure 16(b). **Full authority to settle means that the individual present at the settlement conference has the unfettered discretion and authority to: 1) fully explore settlement options and to agree at that time to any settlement options; 2) agree at that time to any settlement terms acceptable to the parties; 3) change the settlement position of a party; and 4) negotiate monetary awards without being restricted to a specific sum certain.**

Failure of any counsel or party to comply with this Order will result in the imposition of sanctions.

**IT IS SO ORDERED.**

DATED: July 2, 2007

  
Hon. William McCurine, Jr.  
U.S. Magistrate Judge  
United States District Court

COPY TO:

HONORABLE WILLIAM Q. HAYES, U.S. DISTRICT JUDGE  
ALL PARTIES AND COUNSEL OF RECORD